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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,	)	No. CR-09-0933-CW
	)	
12 Plaintiff,	)	STIPULATION TO CONTINUE;
	)	<del>PROPOSED</del> ORDER CONTINUING
13 vs.	)	CASE AND EXCLUDING TIME UNDER
	)	THE SPEEDY TRIAL ACT
14 JOSE CRUZ RAMIREZ,	)	
	)	
15 Defendant.	)	
_____	)	
16		

17 IT IS HEREBY STIPULATED, by and between the parties to this action, that the  
18 TRIAL OR MOTIONS SETTING OR DISPOSITION HEARING date of July 29, 2010  
19 scheduled at 10:00 a.m., before the Hon. Donna M. Ryu, be vacated and re-set for August 4,  
20 2010 at 10:00 a.m., before the Oakland Duty Magistrate, for CHANGE OF PLEA  
21 HEARING.

22 The reason for this request is that defense counsel needs additional time to review and  
23 have translated a plea offer with Mr. Ramirez. Defense counsel was out of the office on  
24 family leave from July 1 to July 19.

25 The parties agree and stipulate that the time until August 4, 2010 should be excluded,  
26 under 18 U.S.C. §3161(h)(7)(A) and (B)(iv) because the ends of justice served by the granting

1 of the continuance outweigh the best interests of the public and the defendant in a speedy and  
2 public trial. The continuance is necessary to accommodate counsel's preparation efforts.

3  
4 Date 7/28/10 /s/  
5 John Paul Reichmuth  
6 Assistant Federal Public Defender  
7 Counsel for defendant CRUZ RAMIREZ

8 Date 07/28/10 /s/  
9 John Cooke  
10 Assistant United States Attorney

11 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this e-filed document.

/S/ JOHN PAUL REICHMUTH

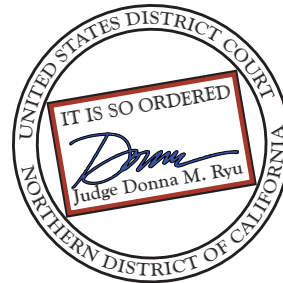
ORDER

The court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial. The continuance is necessary to accommodate counsel's preparation efforts and continuity of counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-captioned matter is continued to August 4, 2010 at 10:00 a.m., before the Oakland Duty Magistrate, and that time is excluded from July 29, 2010 until August 4, 2010 pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

7/28/2010

Date



HON. DONNA M. RYU  
UNITED STATES MAGISTRATE JUDGE